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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/760,270

01/21/2004

Kia Silverbrook

RRA23US

1025

24011

7590

12/23/2005

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

UHLENHAKE, JASON S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,270

Applicant(s)

SILVERBROOK, KIA

Examiner

Jason Uhlenhake

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/08/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Silverbrook (U.S. Pat. 6,588,952)

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Silverbrook discloses:

- ***regarding claim 1***, a body defining a recess (Figures 8 and 9) dimensioned to locate a removable inkjet cartridge of a type having a pagewidth printhead (Column 1, Lines 44 – 48)

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- terminals positioned upon the body to contact corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between cradle and said cartridge (Column 4, Lines 54 – 59)
- **regarding claim 2**, wherein the terminals are located upon one or more walls of the recess (Column 4, Lines 54 – 59)
- **regarding claim 5**, wherein the terminals comprise data and power terminals (Column 4, Lines 46 – 59)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,4, and 6 are rejected under 35 U.S.C. 103(a) as being obvious over Silverbrook (U.S. Pat. 6,588,952) in view of Silverbrook et al (U. S. Pat. 6,755,513).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this

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application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

Silverbrook discloses:

- ***regarding claim 3 and 4***, wherein the recess is elongate (Figures 4, 8, and 9)
- ***regarding claim 6***, body defining an elongate recess (Figures 4, 8, and 9) dimensioned to mate with a removable inkjet cartridge of a type having a pagewidth printhead (Column 1, Lines 44 – 48); power and data terminals (Column 4, Lines 46 – 59)
- corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating electrical communication between said cradle and said cartridge (Column 4, Lines 54 – 59)

Silverbrook does not disclose expressly:

- **regarding claim 3**, wherein the terminals are located on at least one end wall of the recess
- **regarding claim 4**, wherein the terminals are located on opposing end wall of the recess
- **regarding claim 6**, terminals positioned upon opposing end walls of the recess

Silverbrook et al discloses:

- **regarding claim 3**, wherein the terminals are located on at least one end wall of the recess. (Column 9, Lines 20 – 34; Claims 3 – 5; Figure 2). For the purpose of establishing communication with the removable inkjet cartridge.
- **regarding claim 4**, wherein the terminals are located on opposing end wall of the recess (Column 9, Lines 20 – 34; Claims 3 – 5; Figure 2). For the purpose of establishing communication with the removable inkjet cartridge.
- **regarding claim 6**, terminals positioned upon opposing end walls of the recess (Column 9, Lines 20 – 34; Claims 3 – 5; Figure 2). For the purpose of establishing communication with the removable inkjet cartridge.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of terminals are located on at least one end wall of the recess; terminals are located on opposing end wall of the recess; terminals positioned upon opposing end walls of the recess to contact corresponding terminals located upon the removable inkjet cartridge upon insertion of said cartridge into the recess thereby facilitating

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electrical communication between said cradle and said cartridge as taught by Silverbrook et al into the device of Silverbrook. The motivation for doing so would have been to establishing communication with the removable inkjet cartridge.

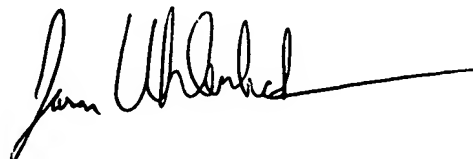
Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Uhlenhake whose telephone number is (571) 272-5916. The examiner can normally be reached on Monday - Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JSU
December 7, 2005



 12/05
K. FEGGINS
EXAMINER